

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

**WEST VIRGINIA HIGHLANDS  
CONSERVANCY, APPALACHIAN  
VOICES, and SIERRA CLUB,**

**Plaintiffs,**

**v.**

**Civil Action No. 3:19-cv-00573**

**LEXINGTON COAL COMPANY, LLC,**

**Defendant.**

**DEFENDANT'S RESPONSE TO ORDER TO SHOW CAUSE**

In accordance with the Court Order to Show Cause, Defendant Lexington Coal Company has paid the May 2023 invoice to Special Master Kyles in full on July 7<sup>th</sup>, 2023. See **Exhibit A**.

**By Counsel:**

/s/ W. Howard Sammons

W. Howard Sammons II Esq. (WVSB 9714)  
The Law Office of W. Howard Sammons II, PLLC  
PO Box 5307  
Charleston, WV 25361  
304-414-6064 telephone  
681-248-6263 facsimile  
[howard@sammonslawfirmwv.com](mailto:howard@sammonslawfirmwv.com)  
*Counsel for Lexington Coal*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT HUNTINGTON**

**WEST VIRGINIA HIGHLANDS  
CONSERVANCY, APPALACHIAN  
VOICES, and SIERRA CLUB,**

**Plaintiffs,**

**v.**

**Civil Action No. 3:19-cv-00573**

**LEXINGTON COAL COMPANY, LLC,**

**Defendant.**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of July 2023, the foregoing *Defendant's Response to the Courts Order to Show Cause* was electronically filed via the CM/ECF system, which will send notification of such filing to all parties receiving ECF Notices in this matter.

J. Michael Becher, Esq.  
Derek Teaney, Esq.  
Appalachian Mountain Advocates  
PO. Box 507  
Lewisburg, West Virginia 24901  
[Mbecher@appalmad.org](mailto:Mbecher@appalmad.org)  
[dteaney@appalmad.org](mailto:dteaney@appalmad.org)

James M. Hecker, Esq.  
Public Justice  
1620 L Street, N.W. Suite 630  
Washington, D.C. 20036  
[jhecker@publicjustice.net](mailto:jhecker@publicjustice.net)

Respectfully Submitted,

/s/ W. Howard Sammons

W. Howard Sammons II Esq. (WVSB 9714)  
The Law Office of W. Howard Sammons II, PLLC  
PO Box 5307  
Charleston, WV 25361  
304-414-6064 telephone  
681-248-6263 facsimile  
[howard@sammonslawfirmwv.com](mailto:howard@sammonslawfirmwv.com)